

Senate File 2323 - Reprinted

SENATE FILE _____
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 2171)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning the regulation of operators of certain vehicles
2 for hire used to transport persons.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 SF 2323
5 dea/nh/cc/26

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1 1 Section 1. Section 321.449, subsection 1, unnumbered
2 paragraph 2, Code 2007, is amended by striking the unnumbered
1 3 paragraph.
1 4 Sec. 2. Section 321.449, subsection 4, Code 2007, is
1 5 amended to read as follows:
1 6 4. Notwithstanding other provisions of this section, rules
1 7 adopted under this section for drivers of commercial vehicles
1 8 shall not apply to a driver of a commercial vehicle who is
1 9 engaged exclusively in intrastate commerce, when the
1 10 commercial vehicle's gross vehicle weight rating is twenty=six
1 11 thousand pounds or less, unless the vehicle is used to
1 12 transport hazardous materials requiring a placard or if the
1 13 vehicle is designed to transport more than fifteen passengers,
1 14 including the driver. For the purpose of complying with the
1 15 hours of service recordkeeping requirements under 49 C.F.R. }
1 16 395.1(e)(5), a driver's report of daily beginning and ending
1 17 on=duty time submitted to the motor carrier at the end of each
1 18 workweek shall be considered acceptable motor carrier time
1 19 records. In addition, rules adopted under this section shall
1 20 not apply to a driver operating intrastate for a farm
1 21 operation as defined in section 352.2, or for an agricultural
1 22 interest when the commercial vehicle is operated between the
1 23 farm as defined in section 352.2 and another farm, between the
1 24 farm and a market for farm products, or between the farm and
1 25 an agribusiness location. A driver or a driver=salesperson
1 26 for a private carrier, who is not for hire and who is engaged
1 27 exclusively in intrastate commerce, may drive twelve hours, be
1 28 on duty sixteen hours in a twenty=four=hour period and be on
1 29 duty seventy hours in seven consecutive days or eighty hours
1 30 in eight consecutive days. For=hire drivers who are engaged
1 31 exclusively in intrastate commerce and who operate trucks and
1 32 truck tractors exclusively for the movement of construction
1 33 materials and equipment to and from construction projects may
1 34 also drive twelve hours, be on duty sixteen hours in a
1 35 twenty=four=hour period, and be on duty seventy hours in seven
2 1 consecutive days or eighty hours in eight consecutive days. A
2 2 "driver=salesperson" means as defined in 49 C.F.R. } 395.2, as
2 3 adopted by the department by rule. Operators of vehicles for
2 4 hire designed to transport seven or more persons but fewer
2 5 than sixteen persons, including the driver, shall comply with
2 6 49 C.F.R. pt. 395. In addition, operators of vehicles for
2 7 hire designed to transport seven or more persons but fewer
2 8 than sixteen persons, including the driver, are not exempt
2 9 from logbook requirements afforded the one hundred air=mile
2 10 radius driver under 49 C.F.R. } 395.1(e). However, the
2 11 provisions of 49 C.F.R. pt. 395 shall not apply to vehicles
2 12 offered to the public for hire that are used principally in
2 13 intracity operation and regulated by local authorities.
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